

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELLIS LORENZO LOCKETT,	)	No. C 12-4781 LHK (PR)
	)	
Petitioner,	)	ORDER OF TRANSFER
	)	
vs.	)	
	)	
RALF DIAZ,	)	
	)	
Respondent.	)	
	)	

Petitioner, a state prisoner at Substance Abuse Treatment Facility, in Corcoran, California, seeks federal habeas review of the execution of his state sentence. Specifically, he is challenging a decision made by the Board of Parole Hearings. Venue is proper in a habeas action in either the district of conviction or the district of confinement. 28 U.S.C. § 2241(d). But the district of confinement is the preferable forum to review the execution of a sentence. *See* Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because Substance Abuse Treatment Facility lies in the Eastern District of California, the Court orders that, pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be transferred to the United States District Court for the Eastern District of California.

Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California, the district in which Petitioner is currently confined. *See* 28

1 U.S.C. § 1404(a); Habeas L.R. 2254-3(b)(1). The Clerk shall terminate any pending motions  
2 and transfer the entire file to the Eastern District of California.

3 IT IS SO ORDERED.

4 DATED: 11/6/12

  
LUCY H. KOH  
United States District Judge